

PERSONAL STATUS AND FAMILY LAW

Exchange of notes at Tehran July 11, 1928, supplementing agreement of May 14, 1928

Entered into force July 11, 1928

*Replaced June 16, 1957, by treaty of August 15, 1955*¹

47 Stat. 2652; Executive Agreement Series 20

The American Minister to the Acting Minister of Foreign Affairs

[TRANSLATION]²

TEHERAN, July 11, 1928

MR. ACTING MINISTER,

Referring to the notes establishing the provisional stipulations relative to diplomatic, consular, customs, and other relations between the United States of America and Persia, exchanged on May 14, 1928,³ I have the honor, in the name of my Government, to make the following statement of my understanding of the results attained by our conversations concerning the question of personal status, held in conformity with the stipulation specified in subparagraph 4 of paragraph 2 of the said notes.

Whereas Persian nationals in the United States of America enjoy most-favored-nation treatment in the matter of personal status, and,

Whereas the said question will be definitively settled between the two states by the establishment convention, it is understood that in the said matter of personal status, that is, with regard to all questions concerning marriage and conjugal community rights, divorce, judicial separation, dowry, paternity, affiliation, adoption, capacity of persons, majority, guardianship, trusteeship, and interdiction; in regard to movable property, the right of succession by will or *ab intestato*, distribution, and settlement; and, in general, family law, non-Moslem nationals of the United States in Persia shall be subject to their national laws.

If, however, with respect to the said questions, one of the parties should bring a matter before the Persian courts, the said courts would be obliged to apply American laws.

¹ 8 UST 899; TIAS 3853.

² The U.S. note was written in French.

³ EAS 19, *ante*, p. 1263.

In order to facilitate the task of the Persian courts in the above-mentioned cases, the competent American authorities shall furnish, in case of need, the necessary information relative to American laws.

I shall be glad to have confirmation of our understanding on these points. Please accept, Mr. Acting Minister, the assurance of my high consideration.

HOFFMAN PHILIP

HIS EXCELLENCY

MIRZA FAT'HOLLAH KHAN PAKREVAN,
Acting Minister of Foreign Affairs,
Teheran.

The Acting Minister of Foreign Affairs to the American Minister

[TRANSLATION]

TEHERAN, *July 11, 1928*

MR. MINISTER,

Referring to the notes establishing the provisional stipulations relative to diplomatic, consular, customs, and other relations between Persia and the United States of America, exchanged on May 14, 1928, I have the honor, in the name of my Government, to make the following statement of my understanding of the results attained by our conversations concerning the question of personal status, held in conformity with the stipulation specified in subparagraph 4 of paragraph 2 of the said notes.

[For terms of understanding, see second, third, fourth, and fifth paragraphs
of U.S. note, above.]

I shall be glad to have confirmation of our understanding on these points. Please accept, Mr. Minister, the assurance of my high consideration.

F. PAKREVAN

HIS EXCELLENCY

MR. HOFFMAN PHILIP,
Minister of the United States,
Teheran.